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Attorneys for Plaintiff  
JERICO PRODUCTS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JERICO PRODUCTS, INC., a California Corporation,  
  
Plaintiff,  
  
v.  
  
SONOMA MARIN AREA RAIL TRANSIT DISTRICT, a regional transit district  
  
Defendant.

Case No. C 05 00210 JSW

**STIPULATION OF SETTLEMENT AND  
DISMISSAL, AND [~~PROPOSED~~] ORDER  
GRANTING DISMISSAL BUT  
RETAINING JURISDICTION OVER  
SETTLEMENT**

**STIPULATION**

The parties, plaintiff Jerico Products, Inc. (JERICO) through its attorneys and defendant Sonoma Marin Area Rail Transit District, SMART (SMART) through its attorneys, report that following a settlement conference last September with Magistrate Judge Bernard Zimmerman, the parties have entered into a settlement agreement. This is an unusual case in that the settlement does not require a monetary payment, but requires the parties to undertake certain actions. The parties' agreed obligations will continue through at least November 1, 2007.

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Pursuant to Federal Rule of Civil Procedure 41(a)(2), and to the Court's order of July 18, 2006 denying a request for a stay in this action, the parties stipulate to the dismissal of this action without prejudice, and further stipulate to the Court retaining jurisdiction through November 1, 2007.

Respectfully submitted,

Dated: July 25, 2006

GIBSON ROBB & LINDH LLP

By: S/ JENNIFER TOMLIN SANCHEZ  
Jennifer Tomlin Sanchez  
Attorneys for Plaintiff  
SEAGATE TECHNOLOGY LLC

Dated: July 25, 2006

CHRISTOPHER J. NEARY


By: S/ CHRISTOPHER J. NEARY  
Christopher J. Neary  
Attorneys for Defendant  
SONOMA MARIN AREA RAIL  
TRANSIT DISTRICT

**ORDER ON STIPULATION**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, the Court having considered the stipulation of the parties to dismiss this action without prejudice and for the Court to retain jurisdiction over the settlement through November 1, 2007, and good cause appearing therefor, hereby orders that this action is dismissed without prejudice, and that this Court retains jurisdiction over the terms of the parties' settlement until November 1, 2007.

IT IS SO ORDERED.

Dated: July 26, 2006

  
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JUDGE OF THE UNITED STATES  
DISTRICT COURT, FOR THE  
NORTHERN DISTRICT OF  
CALIFORNIA